

DIVISION OF MINES	CHAPTER: IV Inspections
PROCEDURES MANUAL	
	PROCEDURE NO.: 1.04.11
SUBJECT: Surface Mine Inspection - Ground Control Plans	ISSUE DATE: June 20, 2005 LAST REVISED: 02/06

OBJECTIVE AND INTENT

To ensure that all surface coal-mining operations establish and follow a ground control plan approved by the Chief to ensure the safety of workers and others affected by the operations.

Purpose: This manual establishes procedural requirements and responsibilities for Division of Mines (DM) operational activities.

Scope: The standard operating procedures contained in this manual apply to all Division of Mines personnel, and are to be developed and implemented to focus resources effectively and efficiently toward achieving our mission.

Responsibility: The Chief of the Division of Mines is responsible to see that procedures and standards necessary for the effective and efficient operation of programs are developed and practiced. Area Supervisors are accountable to the Chief for implementation and follow-up on all standard operating procedures, which apply to their duties and to the duties of those whom they supervise. Each DM employee is responsible to conduct his/her assigned duties in full conformance with established standard operating procedures.

GENERAL:

The mine operator will submit for review and approval a ground control plan consistent with prudent engineering design, which effectively addresses:

- Wall and bank stability, including benching to obtain a safe overall slope.
- The safety of persons in residences or other occupied buildings.
- Working or traveling on any roadway and in any other area where persons congregate, work or travel that may be affected by blasting or falling, sliding or other uncontrolled movement of material.

- How residents or occupants of other buildings located down the slope from active workings will be notified when ground-disturbing activities will take place above them.
- Notification of what actions will be taken to protect such residents or occupants from ground control failures during the work.

The Division of Mines (DM) and Division of Mine Land Reclamation (DMLR) will jointly review, approve and enforce the ground control plans mandated by 45.1-161.287A. The procedures that follow will enable efficient and effective administration of this standard.

PROCEDURE:

1. REVIEWING AND APPROVING THE OPERATOR'S GROUND CONTROL PLANS:

- Ground Control Plans submitted for review and approval will be routed to the Operator Assistance section and date stamped as received. Red zones are defined as “work areas that represent a potential hazard to the public safety.” Priority review will be given to those plans, which identify “active red zone” areas. Active red zone areas are red zone areas where mining activities are being conducted or will be conducted in the immediate future that may affect the public off the permitted site.
- The ground control plan, including map, will be scanned and stored on the server and available for review by assigned DM and DMLR personnel.
- The DM Specialist in the Operator Assistance section will notify the DM Mine Inspector, DM Inspector Supervisor, Mine Safety Engineer and Chief that the plan for that mine is available for review. The designated DMLR contact person will also be notified to initiate the DMLR review procedures.
- Following initial review and comments from all reviewers, the assigned DM Specialist will attach a summary of the review to the proposed plan with a joint recommendation to approve or disapprove the plan as submitted.
- Should the review process determine differences between DM and DMLR reviewers, the DM Specialist will meet with the DMLR representative to achieve concurrence with the joint review.

- All ground control plans, which include “red zone” areas with safety precautions, will require a field evaluation to review this element of the plan. If “red zones” are not included with the plan but are considered needed, then a joint field review will also be required prior to approval.
- After the Department of Mines, Minerals and Energy (DMME) review has been completed, the Mine Safety Engineer will have prepared the appropriate response letter to the mine operator either approving the plan or returning disapproved with reasons the plan could not be approved.
- The Chief of the DM and the Director of the DMLR will sign jointly approval letters for ground control plans.
- A copy of the approved plan will be entered in the DM Approved Plan Files accessible through the DM Enforcement system and included in the DMLR approved permit.
- Annually with receipt of the surface mine maps, the DM Specialist will coordinate a joint review with DMLR of the approved ground control plan to determine the adequacy of the plan.

2. SCHEDULING OF JOINT INSPECTIONS FOR “ ACTIVE RED ZONE” AREAS:

- The DM and DMLR Inspectors will contact each other prior to beginning an inspection to coordinate each inspector’s schedule in order to achieve the joint inspections of the active red zone area.
- The DM Mine Inspector will perform coordinated inspections of “ active red zone” areas and then perform inspections of other surface mine areas addressed in the approved ground control plan through the normal course of his inspection activities at the mine. These inspection activities of other surface mine areas do not require joint inspections with the assigned DMLR Inspector.

3. CONDUCTING THE JOINT INSPECTION ACTIVITIES FOR “ACTIVE RED ZONE” AREAS:

- The inspection will begin with a joint review of the approved ground control plan to include the mine map identifying the “red zones”.
- The Surface Foreman will be included in the review, and his understanding of the plan will be evaluated.

- Work conducted and being planned in “active red zones” will be jointly evaluated for compliance with the approved plan.
- Records of training of miners and notifications of citizens will be reviewed for accuracy and completeness. Confirmation with a representative number of those trained and contacted will be made as part of the inspection of records.

4. ISSUANCE OF ENFORCEMENT ACTIONS:

- During joint inspections, if the Inspectors find that a violation has occurred within a red zone that has affected or could potentially affect the public's health and safety (for the public located off the permit), then the DMLR Inspector will take the appropriate enforcement action, which will represent the enforcement action of DMME. If the Inspectors find that a violation has occurred within a red zone that has affected or could potentially affect the health and safety of persons on the licensed mine site, then the DM Inspector will take the appropriate enforcement action, which will represent the enforcement action by DMME.
- Any failures to comply with the approved ground control plan in “active red zone” areas will be discussed following the joint inspection by the DM and DMLR Inspectors. Should there be a difference of interpretation and appropriate application of enforcement actions, the Supervisors of the Inspectors will be contacted for assistance in achieving a prompt resolution. *Note: Any differences in interpretation and application of standards and compliance activities that occur between DM and DMLR Inspectors shall be resolved with and in the presence of DMME personnel and without direct involvement of the operator, public or other interested parties.*
- Failure to abate any enforcement action written during joint inspections of ground control plans will result in immediate coordination with Supervisors and prompt action to include correction and/or closure orders for the affected area of the mine.
- The DM Mine Inspector will document the findings, compliance actions and follow-up corrective actions taken by DMLR during joint inspections of ground control plans in the narrative of the mine inspection report.

5. SURFACE MINE RISK ASSESSMENT:

- Consistent with Sec. 45.1-161.81 and Sec. 45.1-161.82 of the Coal Mine Safety Act, additional inspections will be scheduled for surface mines which have identified “active red zones” in their ground control plans.

- DM Inspectors will assess the risk to public safety from work activities at surface mines during the course of each inspection. Surface mines having “active red zones” where residences or other occupied buildings are identified, off the permit site, will receive one additional regular (total of two regular) inspections annually. Also, one spot inspection each six months will be conducted (total of two spot inspections), i.e., If a surface mine already is scheduled one regular and two spot inspections for the year, it would be assigned one more regular, or if it is assigned one regular, it would be assigned one more regular and two spot inspections.
- The DMLR is required to conduct at least three inspections per quarter at permitted coal mine surface sites, and the DM is required to conduct a complete inspection at surface coal mines once per year with additional inspections scheduled by risk assessment.
- According to laws, regulations, and established procedures governing each division, inspections of “active red zone” areas will be conducted jointly at least once each quarter.
- Additional inspections will focus on ground control plan compliance.

6. MISCELLANEOUS:

- Should an Inspector from DM, while conducting an inspection of a mine site, observe a deficiency that lies within the jurisdictional area of DMLR, he will contact the assigned Inspector or Supervisor from that Division and report the condition. Representatives of both Divisions will evaluate the conditions to determine the necessary response time from DMLR.
- After a permitted site has completed initial reclamation (disturbance has been backfilled and seeded) and the licensee submits required information along with a written request to abandon a mine license, DM will consider the site abandoned and will no longer inspect the site, including the “red zone” areas. Any work required in preparation for release of the DMLR permit, such as general maintenance, re-seeding, cleaning out or removing ponds, and maintenance of roads, would be under the DMLR jurisdiction.
- DMLR will conduct inspections of “red zone” areas at mine sites where the mine license has been abandoned until final bond release without representation of the DM.
- DM and the DMLR will continue to review inspection procedures and, to the extent possible, eliminate duplication of inspection efforts.